



ARIAD 356A PCT/USC1

1632
Hw**In The United States Patent And Trademark Office**

Serial No. : 10/087,286
Filing Date : 03/01/2002
Inventors : Cerasoli
For : Expression of Proteins for Treating Asthma
Via Ligand Mediated Activation ...

Art Group: 1632
Examiner: Woitach, JT

Commissioner of Patents & Trademarks
PO Box 1450
Alexandria, VA 22313-1450

October 19, 2004

Request for 5-Month Extension & Response to Restriction Requirement

This is in Response to the Office Action mailed on 4/28/2004, a response to which was originally due on 5/28/2004. Applicants hereby request a 5-month extension for responding and authorize the Commissioner to charge the (small entity) fee for such extension to Deposit Account No. 01-2315. The new deadline is now 10/28/2004, and this response should be considered timely filed.

Response

The above-identified application has been subjected to a restriction requirement and an election of species requirement under the PTO's discretionary authority provided by 35 USC 121. Applicants traverse those requirements on the grounds that search and consideration of the entire claimed subject matter would not be unduly burdensome relative to a search and consideration of the restricted subject matter.

Election & Listing: However, in order to provide a complete response, applicants elect Group 1 and the species involving IFN-gamma: Claims 1 – 11 of Group 1 are readable on the elected species.

Respectfully submitted,

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

date: October 19, 2004
Sue Wilson

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